

Message Text

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TO AMEMBASSY LAGOS

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C O N F I D E N T I A L STATE 252337

FOR AMBASSADOR FROM ASSISTANT SECRETARY LEWIS

E.O. 11652: GDS

TAGS: PFOR, NI, EK, SHUM

SUBJECT: HUMAN RIGHTS IN EQUATORIAL GUINEA

REF: LAGOS 11498

1. SINCE MY LETTER TO HERB SPIRO THE UN SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES, WHICH MET IN GENEVA AUGUST 12-SEPTEMBER 1, 1976, HAS ONCE AGAIN CONSIDERED THE EQUATORIAL GUINEA CASE. SUBCOMMISSION ACTED UNDER SPECIAL AUTHORITY WHICH HAS BEEN GRANTED TO IT BY RESOLUTION 1503 OF THE ECONOMIC AND SOCIAL COUNCIL (ECOSOC). PROCEDURES UNDER THIS RESOLUTION ARE CONFIDENTIAL.

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2. APPLYING CRITERIA LAID DOWN IN RES. 1503, THE SUBCOM-

MISSION HAS IDENTIFIED EQUATORIAL GUINEA SITUATION AS APPEARING TO "REVEAL A CONSISTENT PATTERN OF GROSS AND RELIABLY ATTESTED VIOLATIONS OF HUMAN RIGHTS". NEXT STEP IN PROCEDURES WILL TAKE PLACE IN UN HUMAN RIGHTS COMMISSION (HRC) TO WHICH EQUATORIAL GUINEA CASE REFERRED. RESOLUTION 1503 AUTHORIZED HRC EITHER TO CONDUCT A THOROUGH STUDY OF THE SITUATION OR TO LAUNCH AN INVESTIGATION BY A SPECIAL COMMITTEE. INVESTIGATION, HOWEVER, CAN ONLY BE UNDERTAKEN WITH THE CONSENT AND COOPERATION OF THE STATE CONCERNED.

3. NIGERIA WAS ELECTED THIS YEAR TO HRC FOR THREE-YEAR TERM BEGINNING IN 1977. NIGERIA, THEREFORE, WILL HAVE TO PARTICIPATE IN DECISION TO BE TAKEN BY HRC ON EQUATORIAL GUINEA CASE AT NEXT HRC SESSION, SCHEDULED TO BE HELD FEBRUARY 7-MARCH 11, 1977. U.S. POLICY HAS BEEN TO SUPPORT STUDY OR INVESTIGATION OF ALL CASES ADEQUATELY SUPPORTED BY EVIDENCE. OUR PRELIMINARY VIEW IS THAT EQUATORIAL GUINEA CASE IS ONE DESERVING OF APPROPRIATE FOLLOW-UP STUDY OR INVESTIGATION BY HRC.

4. SUGGEST IT WOULD BE APPROPRIATE AT THIS STAGE FOR EMBASSY LAGOS TO CALL TO ATTENTION OF APPROPRIATE WORKING LEVEL NIGERIAN OFFICIALS UN ACTION ON EQUATORIAL GUINEA CASE. CONVERSATIONS AT THIS STAGE SHOULD BE FOR PURPOSE OF INFORMING FMG AND PRELIMINARY SOUNDING OUT OF VIEWS. SINCE NIGERIA IS NEW MEMBER OF HRC THEY LIKELY TO BE UNFAMILIAR WITH 1503 PROCEDURES. IT IS U.S. POLICY TO GIVE THESE PROCEDURES STRONG SUPPORT SINCE THEY OFFER MEANS TO ACHIEVE IN UN MORE OBJECTIVE, EVENHANDED ATTENTION TO WIDE RANGE OF SERIOUS HUMAN RIGHTS SITUATIONS. WE, THEREFORE, WILL BE ANXIOUS TO SUPPLY YOU WITH ANY FURTHER INFORMATION ON TECHNICAL ASPECTS OF PROCEDURES WHICH YOUR CONVERSATIONS MAY REVEAL WOULD BE USEFUL. AS TIME FOR HRC SESSION DRAWS CLOSER WE MAY BE ASKING YOU TO EXPLORE MATTER FURTHER WITH FMG TO ESTABLISH COMMON BASIS FOR PROCEEDING IN HRC. KISSINGER

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